

New Licensing Policy for Buckinghamshire Council

Summary of key findings

Survey open: 14 May to 8 June 2021

Targeted to a stakeholder list: 107 respondents (*respondent profile on next slide*)

Location specific proposals: (*set out in detail on following slides*)

Proposal to remove the cumulative impact policy for Aylesbury: **broad agreement from respondents**

Proposal to remove the special hours policy for Buckingham: **opinion almost equally divided**

New policy proposals: all receiving broad agreement from respondents (*set out in detail on following slides*)

Street drinking

Use of outside areas

Consultation approach

Pub watch network

Public health, safeguarding children, environmental best practice approach

Underpinned by Government Licensing Objectives:

Preventing crime and disorder

Public safety

Preventing public nuisance

Protecting children from harm

Respondent Profile

There were no demographic questions included in this survey, so this profile focuses purely on the 'role question'

Total number of respondents = 107

Methodology:

Respondents by role: respondents were able to select more than one role option, so there are numerically more responses than respondents.

This approach risks some double counting but was selected as the best representation of respondents' views on the basis of their roles

Responses by main role/group: this approach combined roles to try to accommodate different roles from respondents. *This gives an indication of the combinations of roles but was not selected as the differentiation in responses between roles was less clear and some of the numbers were too small to be significant*

Responses by role	No
Resident	43
Business	25
Councillor	34
Responsible Authority	7
Town/Parish Council	21
Representative of Residents	5
Business Representative	11
Other	10
Total	156

Responses by main role group	No
Business	22
Councillor	17
Multi-hat Councillor	6
Resident	15
Resident/Business	10
Resident/Business/Councillor	4
Resident/Councillor	9
Responsible Authority	7
Town/Parish Council	8
Other	9
Total	107

Data health warning:

We recommend caution on making assumptions based on these small samples – they are best seen as indicative only

Key Policies and Proposals: summary (1)

	In agreement	Not in agreement	Variations by role: Numbers and %s in agreement
Removal of the cumulative impact policy: Aylesbury	88 (82.2%)	18 (16.8%)	Resident: 36 (84%) Business: 26 (93%) Councillor: 23 (67.6%); Town & Parish & Councillor 10 (71%) Responsible Authority: 7 (100%)
Removal of the special hours policy: Buckingham	49 (45.8%)	50 (46.7%)	Resident: 23 (53.5%) Business: 17 (60.7%) Councillor: 15 (45.5%); Town & Parish Councillor 9 (42.9%) Responsible Authority: 4 (57.1%)
Special Hours policy for the whole of Buckinghamshire	63 (58.9%)	34 (31.8%)	Resident: 27 (62.8%) Business: 12 (42.9%) Councillor: 20 (58.8%); Town & Parish Councillor: 10 (47.6%) Responsible Authority: 2 (28.6%)
Street Drinking policy	78 (72.9%)	27 (25.2%)	Resident: 30 (69.8%) Business: 21 (75%) Councillor: 25 (75.8%); Town/Parish Councillor: 12 (57.1%) Responsible Authority: 5 (71.4%)
Outside areas/space policy	92 (86%)	14 (13.1%)	Resident: 33 (76.7%) Business: 24 (85.7%) Councillor: 30 (88.2%); Town/Parish Councillor: 18 (85.7%) Responsible Authority: 6 (85.7%)

Key Policies and Proposals: summary (2)

	In agreement	Not in agreement	Variations by role
Application consultation	91 (85.0%)	16 (15.0%)	Resident: 40 (93%) Business: 18 (64.3%) Councillor: 34 (100%); Town & Parish Councillor 20 (95.2%) Responsible Authority: 5 (71.4%)
Pub Watch policy	98 (91.6%)	6 (5.6%)	Resident: 41 (95.3%) Business: 26 (92.9%) Councillor: 32 (94.1%); Town & Parish Councillor 19 (90.5%) Responsible Authority: 6 (85.7%)
Safeguarding Children policy	96 (89.7%)	11 (10.3%)	Resident: 41 (95.3%) Business: 21 (75.0%) Councillor: 32 (94.1%); Town & Parish Councillor 21 (100%) Responsible Authority: 7 (100%)
Public health policy	76 (71.0%)	27 (25.2%)	Resident: 31 (72%) Business: 18 (64.3%) Councillor: 26 (76.5%); Town & Parish Councillor 16 (76.2%) Responsible Authority: 6 (85.7%)
Promoting environmental best practice policy	97 (90.7%)	10 (9.3%)	Resident: 41 (95.3%) Business: 24 (85.7%) Councillor: 32 (94.1%); Town & Parish Councillor 21 (100%) Responsible Authority: 7 (100%)

Cumulative Impact policy: Aylesbury

This section sets out the proposal to remove the cumulative impact policy for Aylesbury, where there are concentrations of licensed premises so that there would no longer be a presumption to refuse late night licence applications. Applications for licences would still go through consultation and applicants would have to demonstrate how they would meet licensing objectives. The area would be kept under review.

There was a strong majority in favour of removing the policy, higher with residents and businesses than in the Councillor group.

Should the cumulative impact policy in Aylesbury be removed?

Yes – 82.2%

No – 16.8%

1% of respondents did not answer this question

Agreement by role

	yes	no		yes	no
Resident	83.7%	16.3%	Town/Parish Councillor	71.4%	23.8%
Business	92.9%	7.1%	Responsible Authority	100%	0%
Councillor	67.6%	32.4%	Other	100%	0%

Comments: by main theme

- Support businesses re-establishing themselves and in particular the night time economy, post Covid
- Need for regular review given the lack of evidence post pandemic and easing of lockdowns
- A recommendation that applications should be scrutinized on a case by case basis, that the blanket approach is unhelpful
- Concern over the negative impacts on the town and its residents of late night alcohol sale & consumption

Are there any other areas which are impacted by a concentration of licensed premises?

Yes - 14 respondents

High Wycombe – (6)
 Marlow (1)
 Beaconsfield (2)
 Buckingham (1)
 Amersham on the Hill (1)

High Wycombe - the town is growing and more late night opening will cause more nuisance locally

High Wycombe also has issues with alcohol problems including no drinking areas

Important to evaluate each application rigorously on a case by case basis

Cumulative Impact policy: Aylesbury: further comments?

In favour of removing the policy

Against removing the policy

On the whole, most people drink sensibly and the odd few should not spoil fun for others.

A sensible, moderated approach to licensing, with strictly enforced caveats, is now called for as the town begins to reopen.

The night time economy is an important part of the life of a community and should be supported, particularly at such a difficult time. Blanket bans are a blunt instrument and an impediment to making Aylesbury a thriving and diverse destination for people to socialise

Once the lockdown measures are eased, it is likely that significant recovery will be experienced by this sector and the cumulative impact policy will become relevant again. It seems highly precipitous to remove it at this stage

the effects of the pandemic mean there is less data available against which to assess. Ongoing effects and potential changes to behaviour need to be observed and assessed

Special hours policy: Buckingham

This question focused on the special hours policy for Buckingham town centre which was put in place following late night noise disturbance from late opening alcohol led premises and the student population. Applications to open beyond 12 midnight would normally be refused and all applications after 1.30am would be refused. Since the policy was introduced the nature of Buckingham has reportedly changed and the proposal is now to remove the policy.

Responses to this question were overall equally divided but with differences by roles of respondents

Should the special hours policy in Buckingham be removed?

Yes – 45.8%

No – 46.7%

8% of respondents did not answer this question

Responses by role

	Yes	No		Yes	No
Resident	53.5%	44.2%	Town/Parish Councillor	42.9%	52.4%
Business	60.7%	39.3%	Responsible Authority	57.1%	14.3%
Councillor	44.1%	50.0%	Other	30.0%	40.0%

Comments by main theme:

- A flexible approach to support business, post Covid
- The special hours policy had served the town well over recent years and that the current situation was due to its success
- The need for more information and analysis
- The importance of taking each case/application on its own merits
- Concern for residents of the town and the desire to protect them from noise and disturbance

Are there any other areas that should have special hours policies?

In common with responses to the previous question:

High Wycombe (3)

Marlow (1)

Amersham on the Hill (1)

Other small market towns (1)

it is imperative, that you heed the views of local residents who are troubled by disturbance.

Other small market towns would also benefit, it's not just that Buckingham has students.

the reduction in complaints is due to the success of the special hours policy.

Special hours policy: Buckingham: further comments?

In favour of removing the policy

Against removing the policy

a general policy is a blunt instrument. Extended hours should be allowed in an appropriate central zone and be subject to review if premises are not properly managed.

Remove the policy to encourage the growth of businesses that have been badly impacted by COVID

Each town centre application should be judged on its own merit, based on the audience it is targeting, food policy and the number of similar venues within the vicinity.

The hospitality industry needs support and guidance if problem premises arise. It does not need a sledgehammer to crack a nut

Current social activity in the hospitality sector is unlikely to be typical of the 'norm' as it was in pre covid times so that making changes now would be inappropriate

The Town Council has not seen any evidence to justify a change in the policy and strongly opposes any change

Clearly the special hours policy has had a beneficial effect on the town.

All the changes that have occurred are surely the result of the policy having been introduced, and it would be unwise and a retrograde step to withdraw the policy - there is every chance that those issues will rise again once the controls are relaxed.

The original special hours policy for Buckingham was evidenced and appropriate.

Special hours policy: Buckinghamshire Council

Respondents were asked to consider if Buckinghamshire Council should have special hours policies.
There was a majority in favour of the proposal

Should Buckinghamshire Council have special hours policies?

Yes – 58.9%

No – 31.8%

9% of respondents did not answer this question

Agreement by role

Resident	62.8%	Town/Parish Councillor	47.6%
Business	42.9%	Responsible Authority	28.6%
Councillor	58.8%	Other	60.0%

Comments by main theme

- The need for evidence to support these policies
- Concern around anti social behaviour following late night socialising and policies to address this
- The importance of the location in particular where there are residential properties and the ability to make arrangements to address this
- That current licensing laws cover these issues adequately

In support of the policy:

The nature of our town centres is changing considerably with a significant number of people now living in town centre location

Socialising will now pick up with lockdown restrictions being lifted - monitoring needs to be in place

Special hours policies can be used to protect residents and discourage applications in certain areas

Against the policy:

Better to have a flexible approach to opening hours commensurate with the nature of the business

Special hours policies must only be introduced where evidence from all parties (not just the police) supports this.

Street drinking policy

This question focused on a proposal to place restrictions on off licences in areas which have Public Space Protection Orders (PSPOs). Restrictions would include not selling cans and bottles in single cans and discouraging the sale of alcohol to known street drinkers.

There was a clear majority in support of the proposed policy.

Do you agree with the policy on street drinking?

Yes – 72.9%

No – 25.2%

2% of respondents did not answer this question

Agreement by role

Resident	69.8%	Town/Parish Councillor	57.1%
Business	75.0%	Responsible Authority	71.4%
Councillor	73.5%	Other	70%

Comments by main theme

- Provide support to street drinkers and those with alcohol issues
- Minimise anti social behaviour, nuisance and litter in towns
- Consider issues of enforcement of this policy, and the limitations of Council resources to do this
- Support small businesses and not impose additional requirements and restrictions on them
- Existing police powers are adequate to deal with street drinking

In support of the policy:

This should include off-sales of all types of premises

Imposing the restrictions would be positive but are they too difficult to enforce?

street drinking is a significant issue and hard to tackle having a formal policy is the best course of action

Against the policy:

Puts enforcement responsibility on vendors

Resources should be directed at supporting those with issues rather than pushing the problem somewhere else

This would potentially have a negative impact on the livelihoods of the shops in these areas

Outside areas policy

This question focuses on the pavement licence scheme introduced during Covid to make it easier for businesses to use outside spaces to sell food and drink. The Council supports the policy but wants to limit the impact on nearby residents through limiting timings and ensuring separate areas for smokers and non smokers. There was a clear majority in support of the proposed policy

Do you agree with the policy on outside areas?

Yes – 86.0%

No –13.1%

1% of respondents did not answer this question

Agreement by role

Resident	76.7%	Town/Parish Councillor	85.7%
Business	85.7%	Responsible Authority	85.7%
Councillor	88.2%	Other	90.0%

Comments by main theme

- Support for businesses in the post Covid time but noting the need for management and enforcement
- Concern for local residents and those impacted by noise and disturbance, and the need to hear their perspectives
- The importance of the local context/location of licenced premises and therefore the need to look at licensing on a case by case basis
- Recommending not placing additional restrictions on businesses

In support of the policy:

As restrictions ease, it will be important to consider the views of nearby residents.

Continue to support the post COVID recovery of this sector through this use of outside space licences, whilst managing impact on residents.

Covid has shown us we need outside safe areas and it helps with the community spirit.

This sounds too restrictive. We should do everything we can to support these businesses and relaxed outdoor socialising

Outside licences should be treated on a case to case basis as many properties will not have neighbours

They should definitely not be permitted in residential areas

Application consultation policy

This question set out the policy proposal that all notifications of new and variation applications are sent to local ward councillors and to the local town or parish Council as well as the existing requirements for applications to be published on the Council websites, notices to be served to statutory authorities and newspaper advertising. There was a clear majority in support of the proposed policy

Do you agree with the application consultation policy?

Yes – 85%

No – 15%

Agreement by role

Resident	93.0%	Town/Parish Councillor	95.2%
Business	64.3%	Responsible Authority	71.4%
Councillor	100%	Other	80%

Comments by main theme

- The importance of local knowledge, expertise and input
- That local Councillors know their areas and can be a voice for the local area
- That it is important to avoid “political” decisions
- The publication in local newspapers is outdated in the digital world, and expensive
- That there might be pressure on Councillors from local residents to take certain decisions and that this might lead to additional objections and delays

In support of the policy:

a great move to involve local councillors / parishes as they will be more acutely aware of the circumstances appertaining to their own locale.

Essential that people close to the location are aware

It aids transparency and keeps all local people aware of potential changes

Against the policy:

it is not the job of Bucks council to solicit likely objections

the current licencing policy is sufficient and this will cause a delay for businesses

The council should go no further than consulting the statutory consultees.

Pub watch policy

This question focused on the proposal to encourage licence holders to take part in local pub watch schemes, providing a network for licenced businesses to work together. There was a clear majority in support of the proposed policy

Do you agree with the pub watch policy?

Yes – 91.6%

No – 5.6%

3% of respondents did not answer this question

Agreement by role

Resident	95.3%	Town/Parish Councillor	90.5%
Business	92.9%	Responsible Authority	85.7%
Councillor	94.1%	Other	80.0%

Comments by main theme:

- The importance of the network, sharing local information and good practice, likely to contribute to reducing crime and disorder
- That this should be a requirement for licence holders
- That it was important not to place additional burdens on licence holders

In support of the policy:

Any information provided between pubs about crime and disorder has to be valuable to protect the local area and staff.

It is a good idea for them to work together. Share ideas and tackle issues together for their businesses.

Pubs need support and an opportunity to network which is vital

Against the policy:

Seeking to add such a policy is likely to lead to enforced participation in schemes which have failed in the past.

This should be an optional tool to improve environments.

Safeguarding children policy

This question focused on the proposal to encourage operators of licensed premises to put in place a safeguarding policy. Operators of high risk premises would be expected to have a written policy and procedures including records of staff training.

There was a clear majority in support of the proposed policy

Do you agree with the safeguarding children policy?

Yes – 89.7%

No – 10.3%

Agreement by role

Resident	95.3%	Town/Parish Councillor	100%
Business	75.0%	Responsible Authority	100%
Councillor	94.1%	Other	80.0%

Comments by main theme

- That this policy is important as pubs and other licensed premises become more family oriented
- The difficulty of implementation and enforcement
- The importance of training, for all staff as well as for the licence holder
- The need for additional guidance and definitions of eg high risk
- Concern around placing additional requirements on licence holders

In support of the policy:

There would be a need to define what you mean by 'high risk' and in what context e.g. from underage sales, exploitation.

the Council must have the power to implement fines/closures if facilities do not have a policy, or do not adhere to it

Having a policy is one thing, but it has to be enforced consistently

Against the policy:

Safeguarding is covered by other laws and the Protection of Children From Harm is an objective - this is duplicating something already set in law.

Public health policy

This question focused on the proposal for licence applicants to consider the health impacts of alcohol and adopt measures to mitigate the risk to health including potentially staff training around the responsible sale of alcohol and avoiding promotions which encourage people to drink more.

There was a clear majority in support of the proposed policy.

Do you agree with the public health policy?

Yes – 71.0%

No – 25.2%

4% of respondents did not answer this question

Agreement by role

Resident	72.1%	Town/Parish Councillor	76.2%
Business	64.3%	Responsible Authority	85.7%
Councillor	76.5%	Other	90.0%

Comments by main theme:

- Consider issues of implementation, monitoring and enforcement
- Much of this is already in place and so the policy is not necessary
- It would be necessary to provide support for business in this, in particular small businesses and not to place additional requirements on them
- Importance of staff training

In support of the policy:

There should already be training on responsible sale of alcohol and promotions but the reality is that they are a business and unlikely to consider the nature of the alcohol they sell.

This makes sense, but I expect it would be difficult and costly to enforce.

Against the policy:

Not a high priority for council expenditure at the moment, and unlikely to produce significant or measurable results.

I would agree with provision of support in this area, but would not like to overburden small businesses

Promoting environmental best practice

This question focused on the proposal to encourage operators of licensed premises to contribute to creating a greener and cleaner environment, by adopting environmental best practice measures such as minimising waste, improving energy efficiency and reducing traffic on the road.

There was a clear majority in support of the proposed policy.

Do you agree with the policy to promote environmental best practice?

Yes – 90.7%

No – 9.3%

3% of respondents did not answer this question

Agreement by role

Resident	95.3%	Town/Parish Councillor	100%
Business	85.7%	Responsible Authority	100%
Councillor	94.1%	Other	70.0%

Comments by main theme

- General support for environmental best practice
- Concern that this policy went beyond licensing objectives
- Need to include other operators including those responsible for waste and clearance of fly tipping
- Concerns around implementation

In support of the policy:

All hands must be on deck to care for our environment. Any way to involve businesses is welcome.

Environmental issues are crucial and we all have our part to play

Policies should consider waste minimisation and encourage recycling as part of conditions.

Against the policy:

Not sure how this would be implemented without being used as another tool against licenced premises.

This is overreach and not in anyway consistent with the four licensing objectives

Need to target other operators, as well as licensing eg waste, fly tipping

New Buckinghamshire Licensing Policy (1)

This final question asked respondents if they had any further comments or areas they would like to see in the new Buckinghamshire Licensing Policy under the Licensing objectives: **Preventing Crime and Disorder; Public Safety; Public Nuisance and Protecting children from harm.**

This section was free text only. Some of the comments had already been made – themes are set out below

Preventing crime and disorder: themes

- The importance of partnership working, in particular with Thames Valley Police and the BID Cos
- Difficulties of monitoring and enforcement of breaches of the policy/of licensing requirements
- Consideration should be given to the impact of placing additional burdens on business

More police visibility in town centres - preferably officers on foot who can take pre-emptive action and can build relationships with licensees.

Working with Partners - ie BID Companies and TVP and other partnerships which will ensure that the licensing objectives are adhered to.

I do believe the licensing objectives are missing a key objective - that of promoting commerciality, vibrancy and a sense of place for our towns.

Public Safety: themes

- Shared responsibility/partnership working
- A wider definition of public safety to include reference to the incoming Martyn's Law
- A wider definition of public safety to include mental health
- Not placing additional burdens on business

Include shared security and also safe public transport from these specific areas at regular intervals

Public safety includes public health & well being. There are many links to mental health here

We must not add additional burdens on firms in our area whether encouraged or compulsory

New Buckinghamshire Licensing Policy (2)

This final question asked respondents if they had any further comments or areas they would like to see in the new Buckinghamshire Licensing Policy under the Licensing objectives: **Preventing Crime and Disorder; Public Safety; Public Nuisance and Protecting children from harm.**

This section was free text only. Some of the comments had already been made – themes are set out below

Public Nuisance: themes

- Learn from the experiences of Covid restrictions
- Promote use of CCTV
- Deal with public nuisance issues on a premises by premises basis
- Address issues of littering
- Consider dedicated phone line for reporting drugs in pubs

incorporate in the policy what licensed businesses have had to put in place this past year, e.g. ventilated shelters, adequate spacing of seating areas especially associated with pavement licences

Better communications with the police

Staged closing times, plenty of bins, CCTV when useful etc - are all strategies to minimise public nuisance.

Protecting children from harm: themes

- That this area is already covered by separate legislation
- Consider children who live in licensed premises (family run pubs)
- Reinforce requirement for age ID/under age purchasing of alcohol
- Consideration for special events and festival

This is vital that the council does not place unnecessary burdens on businesses when laws already exist.

stopping under age sales is the number 1 target - maybe enforcing ID cards on everybody would help that.

please consider children who may live on the premises (family-run village pubs) and provide guidelines around this